



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): **Bryan M. CANTRILL**                      ART UNIT:     **2127**  
SERIAL NO.:     **10/713,406**                                      EXAMINER:  
FILED:           **11/14/2003**  
TITLE:           **METHOD AND APPARATUS FOR SPECULATIVE TRACING**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Pursuant to their duty of good faith and candor as set forth in 37 CFR 1.56(a), Applicants request that the reference(s) cited on attached form PTO-1449 (copies of which are enclosed) be considered by the Examiner in connection with the search of the prior art required by 37 CFR 1.104. This Statement is being filed under one of the following provisions of § 1.97:

[ XX ] This Statement is being filed under 37 CFR 1.97(b) prior to the latest of: (1) three months from the filing date of this Application; (2) three months after entry of the national stage in the case of an international application; (3) the mailing date of a first Office Action on the merits; or (4) before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.

[ ] This Statement is being filed under 37 CFR 1.97(c) after the period specified in § 1.97(b) but prior to the earlier of: (1) a final Office Action under § 1.113; (2) a Notice of Allowance under § 1.113; or (3) an action that otherwise closes prosecution in the application. This Statement is accompanied by either:

- [ ] the fee set forth in § 1.17(p); or
- [ ] the statement specified in § 1.97(e).

[ ] This Statement is being filed under 37 CFR 1.97(d), but prior to the payment of the issue fee. This Statement is accompanied by:

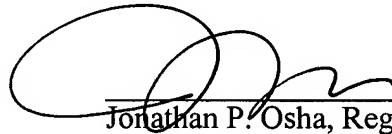
- (1) the statement specified in § 1.97(e); and
- (2) the fee set forth in § 1.17(p).

Applicants believe no petition is necessary; however, if this belief is incorrect, please consider this paper as such.

Applicants believe there is no fee due for filing this paper. However, if Applicants are in error, the Director is hereby authorized to charge Deposit Account 50-0591 of Rosenthal & Osha L.L.P. under Order No. 03226.337001 for any additional fees and/or credits.

Respectfully submitted,

Dated: 2/23/04



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<b>CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8)</b>			<b>Docket No.</b> 03226.337001; SUN040164
Applicant(s) <b>Bryan M. CANTRILL</b>			

<b>Serial No.</b> 10/713,406	<b>Filing Date</b> 11/14/2003	<b>Examiner</b>	<b>Group Art Unit</b> 2127
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**Invention:**

**METHOD AND APPARATUS FOR SPECULATIVE TRACING**

I hereby certify that this

Information Disclosure Statement

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is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

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SUBSTITUTE FOR FORM 449 (08-00) <b>FEB 26 2004</b> <b>INFORMATION DISCLOSURE          STATEMENT BY APPLICANT</b> (use as many sheets as necessary)		U.S. DEPARTMENT OF COMMERCE Patent and Trademark Office		<b>Complete if Known</b>	
		Application Number		10/713,406	
		Filing Date		11/14/2003	
		First Named Inventor		Bryan M. CANTRILL	
		Group Art Unit		2127	
Examiner Name					
Attorney Docket Number		03226.337001; SUN040164			
Sheet 1		of 1			

U.S. PATENT DOCUMENTS					
U.S. Patent Document					
Examiner Initials*	Cite No.	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Figures Appear

FOREIGN PATENT DOCUMENTS							
Foreign Patent Document							
Examiner Initials*	Cite No.	Office	Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	T**

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No.	References	T**
	A1	Tamches, Ariel and Miller, Barton P; "Fine-Grained Dynamic Instrumentation of Commodity Operating System Kernels; [Online]; <a href="http://www.usenix.org/publications/library/proceedings/osdi99/full_papers/tamches/tamches.pdf">http://www.usenix.org/publications/library/proceedings/osdi99/full_papers/tamches/tamches.pdf</a> , Published February 1999	
	A2	Murayama, John; "Performance Profiling Using TNF"; [Online]; <a href="http://developers.sun.com/solaris/articles/tnf.html">http://developers.sun.com/solaris/articles/tnf.html</a> , July 2001	
	A3	Lorch, Jacob R. and Smith, Alan J.; "The Vtrace Tool: Building a system Tracer for Windows NT and Windows 2000"; [Online] <a href="http://msdn.microsoft.com/msdnmag/issues/1000/Vtrace/default.aspx">http://msdn.microsoft.com/msdnmag/issues/1000/Vtrace/default.aspx</a> , October 2000	
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	A6	Richard Moore, et al.; "IBM Dynamic Probes"; <a href="http://www-124.ibm.com/developerworks/opensource/linux/projects/dprobes/README">http://www-124.ibm.com/developerworks/opensource/linux/projects/dprobes/README</a> , 2000	
	A7	K. Yaghmour et al.; "Measuring and Characterizing System Behavior Using Kernel-Level Event Logging"; Proceedings of the 2000 USENIX Annual Technical Conference; June 18-23, 2000, San Diego, California, USA	

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

\*\* Applicant is to place a check mark here if English language is present or an English Translation or Abstract is attached.